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**FILED**

DEC 20 2006

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STANLEY ADAMS,

Defendant.

No. <sup>A-</sup>CR-06-70380 WDB

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING DATE FOR  
CHANGE OF PLEA AND SENTENCING**

Current Date: December 20, 2006  
Requested Date: January 30, 2007

Stanley Adams is charged in the Western District of Michigan with a violation of 18 U.S.C. § 228(a)(1), a class B misdemeanor, for wilful failure to pay child support. Mr. Adams and the United States Attorneys' Offices in the Western District of Michigan and the Northern District of California have agreed that Mr. Adams will plead guilty in the Northern District of California pursuant to Federal Rule of Criminal Procedure 20. However, the parties cannot proceed with change of plea and sentencing because the Michigan Friend of the Court office, which handles child support, has not yet finalized the modification requested by Mr. Stanley in July. In addition, there is some confusion about the amount of arrears. Specifically, the number of unpaid months multiplied by the monthly payment results in a sum about \$35,000 less than that claimed by Michigan as arrears. The Michigan Friend of the Court office is attempting to

cc: WDB's Staff, Copy to parties via ECF,  
Stip. to Continue to 1/30/07  
Preltrial

1 uncover the reason for the discrepancy, but so far has been unable to do so. Since the amount of  
2 arrears will be the amount of restitution in this matter, the parties must wait for Michigan to  
3 resolve the discrepancy. It is expected that this will take at least three or four weeks.

4 For all of these reasons, the parties jointly request that the next appearance be continued  
5 to Tuesday, January 30 at 10:00 a.m. for arraignment on information, change of plea and  
6 sentencing.

7 To the extent that Mr. Adams has a speedy trial right for this Class B misdemeanor, Mr.  
8 Adams and the government stipulate that time should be excluded under the Speedy Trial Act, 18  
9 U.S.C. § 3161(h)(8)(A) and (B)(iv), because additional time is needed for effective preparation  
10 of counsel, taking into account the exercise of due diligence, due to delays by the Michigan  
11 Friend of the Court office.

12  
13 SO STIPULATED.

14 /S/

15 Date: 12/19/06

Rebecca Sullivan Silbert  
Assistant Federal Public Defender

17 /S/

18 Date: 12/19/06

Michelle Morgan-Kelly  
Assistant United States Attorney

20 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
21 "conformed" signature (/S/) within this e-filed document.

22 Based on the reasons provided in the stipulation of the parties above, the Court hereby  
23 FINDS that the ends of justice served by the continuance requested herein outweigh the best  
24 interest of the public and the defendant in a speedy trial because the failure to grant the  
25 continuance would deny counsel for the defendant the reasonable time necessary for effective  
26

1 preparation, taking into account the exercise of due diligence. The Court makes this finding  
2 because the Michigan Friend of the Court office has not yet been able to provide accurate  
3 information to Mr. Adams and his counsel. Based on these findings, IT IS HEREBY ORDERED  
4 THAT the above-captioned matter is continued to Tuesday, January 30, 2007 at 10:00 a.m., and  
5 that time is excluded from December 20, 2006, to January 30, 2007, pursuant to 18 U.S.C.  
6 §§3161(h)(8)(A) and (B)(iv).

7 IT IS SO ORDERED.

8  
9 12-20-06  
Date

  
Honorable Wayne D. Brazil  
Magistrate Judge, United States District Court  
Northern District of California